

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

<b>IN THE MATTER OF:</b>	)	
	)	
Pollution Control Industries	)	<b>FINDING OF VIOLATION</b>
East Chicago, Indiana	)	
	)	<b>EPA-5-99-7</b>
	)	
Proceedings Pursuant to	)	
Section 113 (a)(3) of the	)	
Clean Air Act,	)	
42 U.S.C. § 7413(a)(3)	)	

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**FINDING OF VIOLATION**

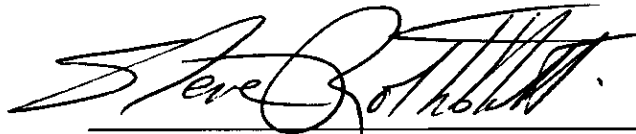
The United States Environmental Protection Agency (U.S. EPA), by authority duly delegated to the undersigned, hereby notifies the State of Indiana and Pollution Control Industries (PCI) that U.S. EPA finds, pursuant to Section 113(a)(3) of the Clean Air Act (Act), 42 U.S.C. § 7413(a)(3), that the treatment, storage, disposal facility, located at 4343 Kennedy Avenue, East Chicago, Indiana, is in violation of Section 112 of the Act, 42 U.S.C. § 7412, and regulations promulgated thereunder setting forth National Emission Standards for Hazardous Air Pollutants (NESHAPS) for Benzene Waste Operations, 40 C.F.R. Part 61, Subpart FF (Subpart FF). Specifically, PCI is in violation of the Benzene Waste Operations NESHAP as follows:

1. PCI owns and operates a hazardous waste treatment, storage and disposal facility located in East Chicago, IN. This facility is a "hazardous waste treatment, storage and disposal facility" as the term is defined at 40 C.F.R. § 61.340, and it is therefore subject to 40 C.F.R. Part 61, Subpart FF, 40 C.F.R. §§ 61.340-61.359, and the NESHAPs General Provisions at 40 C.F.R. Part 61, Subpart A, 40 C.F.R. §§ 61.01-61.19.
2. U.S. EPA representatives conducted a multi-media inspection at PCI's East Chicago facility on March 3-6, and March 11-13, 1998. In response to the representatives' request to review the records required by 40 C.F.R. § 61.356, PCI admitted that it did not maintain such records, in violation of 40 C.F.R. § 61.356.
3. PCI failed to identify and report, among other things, the

total annual benzene quantity, determined in accordance with 40 C.F.R. § 61.355(b)(3), of all waste streams (waste streams received from each chemical manufacturing plant, coke by-product recovery plant, and petroleum refinery), in violation of 40 C.F.R. §§ 61.357 and 61.05(d).

4. PCI failed to determine annual waste quantity, for wastes received from off-site, at the point where the waste enters the hazardous waste treatment, storage and disposal facility, as required by 40 C.F.R. § 61.355(b)(3).

12/30/98  
Date



Stephen Rothblatt, Acting Director  
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, do hereby certify that a Finding of Violation and Notice of violation, issued pursuant to the Clean Air Act, were sent by Certified Mail, Return Receipt Requested, to:

Kevin Prunsky, Chairman  
Pollution Control Industries  
4343 Kennedy Avenue  
East Chicago, Indiana 46312


I also certify that copies of the Notice of Violation and Finding of Violation were sent by first class mail to:

Felicia R. George, Assistant Commissioner  
Office of Enforcement  
Indiana Department of Environmental Management  
100 North Senate Avenue  
P.O. Box 6015  
Indianapolis, Indiana 46206-6015

Tita LaGrimas, Director of Regulatory Affairs  
Pollution Control Industries  
4343 Kennedy Avenue  
East Chicago, Indiana 46312

David Rozmanich, Director  
Northwest Regional Office  
Indiana Department of Environmental Management  
504 North Broadway, Suite 418  
Gary, Indiana 46402-1921

on the 30<sup>th</sup> day of December 1998.

  
Betty Williams, Secretary  
AECAS (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: P140 894285